

**Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, Nevada 89502**

**NOTICE OF INTENT TO ADOPT REGULATIONS**

Proposed amendment of NAC 587.340 pertaining to *Inspection and Certification fees*.

Authority: NRS 587.360

Need for and purpose of the proposed regulation or amendment

*The fees will recover costs and provide continuing inspection services.*

Economic effect of the proposed regulation on the businesses which it is to regulate

- a. Adverse effects:  
*There will be an increase in the cost to individuals and companies.*
- b. Beneficial effects:  
*The Department of Agriculture will recover its costs for the requested services that are provided.*
- c. Immediate and long term effects:  
*Same as above.*

Economic effect of these proposed amendments on the public.

- a. Adverse effects: *There are no adverse effects on the public.*
- b. Beneficial effects: *None.*
- c. Immediate and long term economic effects: *None.*

Economic cost to the agency for enforcement of the proposed amendments

*There is no increase in cost to the agency.*

Description of any regulations of other state, local or federal governmental agencies which the proposed amendments overlap or duplicate. *None*

Fees: *Existing fees will be increased to reflect current costs to maintain certification program.*

The date, time, place, and manner in which interested parties may present their views at public hearing on the proposed amendments:

DATE: Tuesday, April 6, 2004 - Hearing  
TIME: 11:00 a.m.  
PLACE: Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, Nevada 89502

**Video Conferencing will be available at the same time in Las Vegas at:**

Nevada Department of Agriculture  
2300 McLeod Street  
Las Vegas, NV 89104

Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All verbal and written testimony will be in the record of the hearing.

Addresses at which the text of the proposed regulations may be inspected and copied:

The State Library, 100 Stewart Street, Carson City, Nevada, and all Nevada county libraries. Copies may also be at the Department of Agriculture office in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday. This notice and text of the proposed regulation are also available in the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the internet at <http://www.agri.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This notice of hearing has been posted at the following locations:

Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, NV 89502

Nevada Department of Agriculture  
2150 Frazer Street  
Sparks, NV 89431

Nevada Department of Agriculture  
1550 South Wells Avenue  
Reno, NV 89502

Nevada Department of Agriculture  
1200 E. Winnemucca Blvd.  
Winnemucca, NV 89445

Nevada Department of Agriculture  
Eyer H. Boies Building  
1351 Elm Street  
Elko, NV 89801

Nevada Department of Agriculture  
2300 McLeod  
Las Vegas, NV 89104

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please call John O'Brien at the Nevada Department of Agriculture, 775-688-1182, as soon as possible.  
NRS233B.064 Permanent regulations not to be adopted or revised by the Legislative Counsel; agency's reasons for adoption.

Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporated therein its reasons for overruling the consideration urged against its adoption.

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Don Henderson, Director

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Date

**PROPOSED REGULATION  
OF THE  
STATE DEPARTMENT OF AGRICULTURE**

**NOTICE OF WORKSHOP**

A workshop will be held on proposed of amendments NAC 587.340 pertaining to the inspection and Certification fees.

DATE: Tuesday, April 6, 2004

TIME: 10:00 a.m.

PLACE: Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, Nevada 89502

**Video Conferencing will be available at the same time in Las Vegas at:**

Nevada Department of Agriculture  
2300 McLeod Street  
Las Vegas, NV 89104

For clarification on the proposed amendments contact John O'Brien at (775) 688-1182, ext. 241.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all county libraries. The Department of Agriculture offices in Reno, Sparks, Elko or Winnemucca during the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday.

**NEVADA DEPARTMENT OF AGRICULTURE  
SMALL BUSINESS IMPACT DISCLOSURE PROCESS  
PURSUANT TO 233B “Nevada Administrative Procedures Act”**

The purpose of this Small Business Impact Form is to provide a frame work pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or two (2) is answered with a YES, then a small business impact statement is required prior to conducting a public workshops by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: ***The purpose is to recover costs associated with inspection and consolidates fee structure.***

**Part 1**

1. Does this proposed regulation impose a direct and significant economic burden upon a small business ? **No**
2. Does this proposed regulation restrict the formation, operation or expansion of a small business ? **No**

**Note: Small Business is defined as a “business conducted for profit which employs fewer then 150 full-time or part-time employees” (NRS 233B.0382).**

3. If **YES** to either of questions 1& 2, the following action must be taken:
  - a. Was a small business impact statement prepared and was it available at the public workshop ? **Yes.**
  - b. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture. **Yes.**

**SMALL BUSINESS IMPACT STATEMENT**  
**Small Business Impact Form- Part 2**  
(NRS 233B.0609)

1. Describe the manner in which comments were solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary. ***The small business which utilize Department services were notified of the workshop and hearings.***
2. The estimated economic effect of the proposed regulation on small business:
  - a. Both adverse and beneficial effects  
***There will be an increase in the cost of the inspection services.***
  - b. Both direct and indirect effects  
***There will a small increase in direct effects. There will be no indirect effects.***
3. The description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses.
  - a. Simplification of the proposed regulation. ***The fee structure was simplified with fewer categories***
  - b. Establishment of different standards of compliance for a small business.  
***None.***
  - c. Modification of fees or other monetary interests that a small business is authorized to pay at a lower fee. ***None.***
4. The estimated cost to the agency for enforcement of the proposed regulation.  
***No increase in cost is anticipated.***
5. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used. ***The money is used to pay salary and fringe benefits of the inspectors.***
6. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards relating to the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and why it is necessary. ***N.A.***

